

JOURNAL OF THE HOUSE.

Monday, October 3, 2005.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Petrolati of Ludlow in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

God, Our Creator and Final Destiny, at the beginning of this new month, we pause for a moment of prayer to think about You, spiritual values and our personal and legislative priorities. Help us to remain clearly focused on the relevant legislative issues of these uncertain times. Inspire us to select the most thoughtful, fair, just and ethical options which are open to us. Today, we join the Jewish Community and our friends in prayerfully celebrating Rosh Hashanah, the beginning of a new year. May the hearts and minds of our Jewish friends be filled with peace, happiness, good health and good fortune today and the year ahead.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of allegiance.

At the request of the Chair (Mr. Petrolati), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Message from the Governor — Supplemental Appropriation Bill Returned with Vetoes.

Supplemental Appropriation Bill, vetoes.

A message from His Excellency the Governor returning with his objection thereto in writing item 1599-4123 and 1599-4124 contained in section 2A and sections 12 and 19 contained in the engrossed Bill making appropriations for the fiscal year 2005 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 4370, amended] (for message, House, No. 4405) was filed in the office of the Clerk on Friday, September 30.

The message was read; and, under Rule 30, referred to the committee on Ways and Means.

Message from the Governor — Supplemental Appropriation Bill Returned with Recommendation of Amendment.

Surplus property, proceeds.

A message from His Excellency the Governor returning with recommendation of amendment section 3 contained in the engrossed Bill making appropriations for the fiscal year 2005 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 4370, amended] (for message, House, No. 4406) was filed in the office of the Clerk on Friday, September 30.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, said section (printed in bill

form, see House, No. 4407) was thereupon “before the General Court and subject to amendment and re-enactment”.

Pending the question on adoption of the amendment recommended by the Governor, the bill was referred, on motion of Mr. Golden of Lowell, to the committee on Bills in the Third Reading.

Message from the Governor — Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill authorizing the water commissioners of the Swansea Water District to appoint a clerk and a treasurer [see House, No. 3557] (for message, House, No. 4408) was filed in the office of the Clerk on Friday, September 30.

Swansea Water District.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon “before the General Court and subject to amendment and re-enactment”.

Pending the question on adoption of the amendment recommended by the Governor, the bill was referred, on motion of Mrs. Haddad of Somerset, to the committee on Bills in the Third Reading.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Ms. Balser of Newton and other members of the House) recognizing October as Domestic Violence Awareness Month;

Domestic Violence Awareness Month. Theatre III.

Resolutions (filed by Representatives Eldridge of Acton and Atkins of Concord) congratulating Theatre III;

Resolutions (filed by Representatives Kennedy of Brockton, Creedon of Brockton and Canavan of Brockton) commemorating the one hundred and seventy-fifth anniversary of the Pearl Street United Methodist Church in Brockton;

Pearl Street United Methodist Church.

Resolutions (filed by Mrs. Paulsen of Belmont) on the retirement of Jane L. Callanan;

Jane L. Callanan.

Resolutions (filed by Mr. Rushing of Boston) congratulating the Peoples Baptist Church;

Peoples Baptist Church.

Resolutions (filed by Mr. Smola of Palmer) congratulating Ann Genero on the occasion of her eightieth birthday;

Ann Genero.

Resolutions (filed by Mr. Smola of Palmer) celebrating St. Mary’s Episcopal Church on the occasion of its one hundredth anniversary; and

St. Mary’s Episcopal Church.

Resolutions (filed by Mr. Turner of Dennis) congratulations to Donald Trepte on receiving the Dennis Friends of Scouting thirteenth annual award for outstanding service to the community;

Donald Trepte.

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Smizik of Brookline, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petition.

Armed forces,
Welcome
Home .

Mr. Verga of Gloucester presented a petition (subject to Joint Rule 12) of Anthony J. Verga and Stephen M. Brewer relative to establishing the Massachusetts military family relief fund; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Scibak of South Hadley, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Veterans and Federal Affairs. Sent to the Senate for concurrence.

Papers from the Senate.

Medical
spas.

A Bill establishing a task force within the Board of Registration in Medicine to study medical spas (Senate, No. 2191, amended in section 3, in line 2, by inserting after the word “to” the words “the joint committee on health care finance,”) (on Senate, No. 1255), was read; and it was referred, under Joint Rule 1E, to the committee on Health Care Financing.

Alternative
fuel
vehicles.

A Bill to promote the development of alternative fuels and the use of alternative fuel vehicles in the Commonwealth (Senate, No. 2220) (on Senate bill, No. 2211), passed to be engrossed by the Senate, was read; and it was referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Bills

Spencer,
easement.

Authorizing the Division of Capital Asset Management and Maintenance to lease certain land in the town of Spencer to the Worcester County 4H Center (Senate, No. 35, amended in section 1, in line 4, by striking out the words “environmental management” and inserting in place thereof the words: “conservation and recreation”, in lines 16 and 30, by inserting after the word “day”, in each instance, the words “or residential”, and in line 16, by inserting after the word “program.” the following sentence: “The property is currently being used for the same purposes for which it would be used under the proposed lease.”; in section 2, in line 4, by striking out the word “his” and inserting in place thereof the word “this”; and in section 4, in line 2, by inserting after the following: “during the initial 2” (as inserted by the Senate committee on Bills in the Third Reading) the word “consecutive”, and in lines 4 to 7, inclusive, by striking out the words “may be terminated upon notice to the committee, and the land and building together with any improvements thereon shall revert to the commonwealth under the care and control of the department” and inserting in place thereof the words “shall terminate upon written notice from the division”) (on a petition);

Further regulating foster care and adoption (Senate, No. 2147) (on Senate, No. 2036);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Foster care
and
adoption.

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to an inspection of the Western Massachusetts Correctional Alcohol Center, in the city of Springfield, was spread upon the records of the House; and returned to the Senate.

Western
region,
alcohol
center.

Reports of Committees.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing certain bylaws relating to the town of Wellesley (House, No. 4295) be scheduled for consideration by the House.

Wellesley,
financial
services.

Under suspension of Rule 7A, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith; and it was ordered to a third reading.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill providing for two associate planning board members in the town of Hanover (House, No. 4294) [Local Approval Received].

Hanover,
planning
board.

By the same member, for the same committee, on a petition, a Bill providing for two associate conservation commission members in the town of Hanover (House, No. 4349) [Local Approval Received].

Hanover,
conservation
commission.

By Ms. Rivera of Springfield, for the committee on Public Safety and Homeland Security, on Senate, No. 1328 and House, No. 1896, a Bill relative to child passenger safety (House, No. 1896).

Child
passenger
safety.

By the same member, for the same committee, on a petition, a Bill relative to the promotion of health and safety in taxi cabs (House, No. 1930).

Taxi cabs,
safety.

By the same member, for the same committee, on a petition, a Bill prohibiting price gouging during states of emergency (House, No. 3712).

Price
gouging.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill to adopt the model state trademark bill (House, No. 3500).

State
trademark
bill.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill relative to economic investments to promote job creation, economic stability, and competitiveness in the Massachusetts economy (House, No. 4381) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4404) [Cost: \$148,920,000.00]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Economic
stability.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Purple
Heart
Highway.

The Senate Bill clarifying the designation of the Purple Heart Highway (Senate, No. 1930); and

Schools.
Communities.
Open space.
Falmouth,
scenic roads.
West Newbury,
public works.
Mansfield,
housing
corporation.

House bills
Relative to school improvement plans (House, No. 1112);
Relative to community preservation funds (House, No. 1680);
Relative to open space residential development (House, No. 3444);
Relative to scenic roads in the town of Falmouth (House, No. 4135);
Establishing a department of public works in the town of West Newbury (House, No. 4271); and
Authorizing the town of Mansfield to establish a housing corporation (House, No. 4334);
Severally placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bill.

Bill
enacted.

The engrossed Bill maximizing federal reimbursement for family planning services (see House, No. 4178) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Third
reading
bill

The Senate Bill relative to the towns of Westborough and Shrewsbury treatment of wastewater (printed as House, No. 4199), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

It

The House Bill establishing a special account for the Norfolk County Fire and Rescue Dispatch Center (House, No. 4374), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Order.

Next
sitting.

On motion of Mr. DiMasi of Boston,—
Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at one o'clock P.M.

At eighteen minutes after eleven o'clock A.M., on motion of Ms. Rogeness of Longmeadow (Mr. Petrolati of Ludlow being in the Chair), the House adjourned, to meet on Thursday next at one o'clock P.M.